

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

DRIVE INTERMODAL LLC,	)	
an Indiana Company	)	
	)	
Plaintiff,	)	
	)	
v.	)	Case No. 23-cv-01880
	)	
ROBERT ROSE, ALEXANDRIA	)	
ROSE, and CAPITOL TRUCKING INC.	)	
	)	
Defendants.	)	

**PLAINTIFF'S MOTION FOR LEAVE TO FILE AMENDED COMPLAINT**

NOW COMES Plaintiff DRIVE INTERMODAL LLC ("Drive Intermodal" or "Plaintiff") and files this Motion for Leave to File Amended Complaint pursuant to Rule 15 of the Federal Rules of Civil Procedure and respectfully moves the Court for leave to file the attached Amended Complaint.

Rule 15(a)(1)(A) provides that a party may amend its pleading once as a matter of course within "21 days after serving it." The original complaint was filed on or about March 16, 2023 in state court. The defendants have since been notified of the filing of the Complaint and have entered their appearance in this matter.

Furthermore, Rule 15 permits "a party may amend its pleading [with] the court's leave" and that the "court should freely give leave when justice so requires." Fed. R. Civ. P. 15(a)(2).

The Complaint is being amended to clarify that Count IV is brought under Illinois law governing computer fraud and not under federal law. It is further being amended to bring more clarity and to remove any unnecessary verbiage from the Complaint. The clarification is being made so that the Defendants understand the legal basis for each count in the Complaint and therefore they will not be prejudiced by the amendment in any way.

For all the reasons stated herein, Plaintiff respectfully requests the Court grant Plaintiff leave to

file the attached Amended Complaint.

DATED: March 29, 2023

Drive Intermodal LLC

By: s/ Syed E. Ahmad  
One of its Attorneys

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#### **CERTIFICATE OF SERVICE**

I hereby certify that on March 29, 2023, I electronically filed the foregoing with the Clerk of the Court via the CM/ECF System which will send notification of such filing to those registered to receive electronic notices via email transmission at the email addresses provided by them, and also sent a copy to Defendant's counsel at the address stated below, via electronic mail and U.S. Mail on March 29, 2023:

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By: s/ Syed E. Ahmad  
One of Plaintiff's Attorneys